

**AGENDA**  
**CITY OF ATLANTA BOARD OF ZONING ADJUSTMENT**  
**Friday, September 15, 2006 AT 1:00 P.M.**  
**ATLANTA CITY HALL COUNCIL CHAMBER, SECOND FLOOR**

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**NEW CASES**

**V-06-136** Appeal by **Princeton Lakes Partners, LLC** of a decision by the Commissioner of the Department of Planning and Community Development that a trail must be constructed according to certain specifications. Property is located at **3880 REDWINE ROAD, S.W. (a.k.a. "PRINCETON LAKES" SUBDIVISION)**. Tract 1 fronts 780.8 feet on the south side of Hogan Road and begins 852 feet west of the southwest corner of Hogan Road and Fairburn Road. Tract 2 fronts 1,080 feet on the west side of Fairburn Road and begins 780 feet north of the northwest corner of Fairburn Road and Telfar Road. Zoned PD-MU (Planned Development-Mixed Use) District. Land Lots 1, 2, 3, 4, 34, 35, & 36 of the 14<sup>th</sup> FF District, and Land Lot 254 of the 14<sup>th</sup> District, Fulton County, Georgia.

**Owner: Princeton Lakes Partners, LLC**  
**Council District 11, NPU-P**

**V-05-379** Application of **Karina Roca** for variances from the zoning regulations to 1) reduce the front yard setback from the required 30 feet to 18.5 feet; 2) reduce the south side yard setback from the require 7 feet to 5.8 feet and 3) increase lot coverage from the maximum allowed of 50% to 63%, for additions to a single-family house. Property is located at **1101 MECASLIN STREET N.E.**, fronts 49 feet on the east side of Macaslin Street and begins 55 feet north of the eastern corner of Mecaslin Street and Richards Street. Zoned R-5/ SPI-8 (Two-Family Residential/ Special Public Interest- Home Park) District. Land Lot 149 of the 17<sup>th</sup> District, Fulton County, Georgia.

**Owner: Zuhair Itr**  
**Council District 3, NPU-E**

**V-06-195** Application of **Jonathan Balmaceda** for a variance from the zoning regulations to reduce the required front yard setback from 35ft. (required) to 32ft. to allow for a new gable roof addition to an existing single family house. Property is located at **796 Highland Terrace, N.E.**, fronts 60 feet on the north side of Highland Terrace, and begins 373.1 feet south of the southeast corner of Amsterdam Avenue and Highland Terrace. Zoned R-4 (Single-family Residential) District. Land Lot 53 of the 17<sup>th</sup> District, "Fulton County, Georgia.

**Owner: George McMahan**  
**Council District 6, NPU-F**

**V-06-205** Application of **Ed Barken** for a variance from zoning regulations to increase the lot coverage from the maximum 50% to 58% to allow for the construction of an addition and expand parking area. Also allow for parking in the required yard where otherwise prohibited. Also seeks a special exception to allow for an addition to a non-conforming triplex where otherwise prohibited. Property is located at **841 Argonne Avenue, N.E.**, fronts 50 feet on the east side of Argonne Avenue, and begins 53.2 feet south of the southeast corner of Argonne Avenue and Seventh Street. Zoned R-5 (Single-family Residential) District. Land Lot 48 of the 14<sup>th</sup> District, Fulton County, Georgia.

**Owner: Argonne Development, LLC**  
**Council District 8, NPU-E**

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- V-06-209**     Application of **Metrogroup Development c/o Stephen Fusco** for a variance from the zoning regulations to reduce the east side yard transitional use from the required 100 ft. to 47ft. to allow for the construction of a retail store with a drive-in facility (pending lot consolidation. Property is located at **1129 & 1131 State Street (a.k.a 348 14<sup>th</sup> Street) and 1132 Atlantic Drive, N.W.**, fronts 200 feet on the east side of State Street, and begins at the northwest corner of State Street and Fourteenth Street. Zoned R-5 and C-2 (Single-family Residential) District and (Commercial Service) District. Land Lot 149 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Joseph C. Delmont, BOP, LLC, John Porter, Hariette Porter, Sam Porter, and Rosemary Porter**  
**Council District 3, NPU-E**
- V-06-211**     Application of **Ann Woolsey** for a variance from the zoning regulations to reduce the front yard setback from the required 30ft. and both side yard setbacks from the required 7ft. to 5ft. for the construction of a single family residence. Property is located at **648 McGruder Street, N.E.**, fronts 40 feet on the north side of McGruder Street, and begins 111.3 feet west of the northwest corner of McGruder Street and Sampson Street. Zoned R-5 (Single-family Residential) District. Land Lot 19 of the 14<sup>th</sup> District, Fulton County, Georgia.  
**Owners: Bessie Sellaway**  
**Council District 2, NPU-M**
- V-06-212**     Application of **Frank Cruz** for a variance from zoning regulations to reduce the side yard setback from 5ft. required to 2.5ft to allow for an enclosure addition to an existing retail building; also, applicant seeks a special exception from zoning regulations to eliminate the required off-street parking requirement from 12 to 0. Property is located at **649 Fair Street, S.W.**, fronts 50 feet on the north side of Fair Street and begins 100 feet east of the northeast corner of Fair Street and Elm Street. Zoned C-1 (Community Business) District. Land Lot 109 of the 14<sup>th</sup> District, Fulton County, Georgia.  
**Owners: Frank Cruz**  
**Council District 4, NPU-T**
- V-06-213**     Application of **Andrew Levine** for a variance from zoning regulations to reduce the north side yard setback from the required 7ft. to 5ft. to allow for an addition to a single family residence. Property is located at **32 Aberdeen Street, N.E.**, fronts 50 feet on the west side of Aberdeen Street, and begins 350 feet south of the southwest corner of Aberdeen Street and Hardee Street. Zoned R-4A (Single-family Residential) District. Land Lot 208 of the 15<sup>th</sup> District, Dekalb County, Georgia.  
**Owner: Andrew Levine**  
**Council District 5, NPU-O**

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- V-06-214** Application of **Michele Ritsch** for a special exception from zoning regulations to reduce the required off street parking requirement from 64 parking spaces on-site to 42 parking spaces on-site to allow for the conversion of an existing warehouse building to a catering establishment/office. Property is located at **2316 Defoor Hills Road, N.W.** fronts 189.92 feet on the west side of Defoor Hills Road, and begins 1995.1 feet north of the northwest intersection of Defoor Hills Road and Hills Avenue. Zoned I-1 (Light Industrial) District. Land Lot 194 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Ron Lazarus**  
**Council District 9, NPU-D**
- V-06-215** Application of **Mark and Patricia Stevens** for a variance from the zoning regulations to 1) reduce the west side yard setback from 10ft. required to 4ft. and 2) reduce the east side yard setback from 10ft. required to 3ft. to allow for an addition to a single family house and detached garage. Property is located at **4523 Club Circle, N.E.** fronts 100 feet on the north side of Club Circle, and begins 287.01 feet west of the northwest corner of Club Circle and Club Valley Drive. Zoned R-3 (Single-family Residential) District. Land Lot 13 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Mark and Patricia Stevens**  
**Council District 7, NPU-B**
- V-06-216** Application of **Karl deSantos** for a variance from the zoning regulations to reduce the required half-depth front yard setback from 17 ½ ft. required to 7ft. to allow an addition to a single family house. Property is located at **1097 Amsterdam Avenue, N.E.**, fronts 53 feet on the south side of Amsterdam Avenue, and begins at the southwest corner of Amsterdam Avenue and Rosewood Drive. Zoned R-4 (Single Family Residential) District. Land Lot 1 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Alexander Iskov and Jennifer Goeoken**  
**Council District 6, NPU-F**
- V-06-217** Application of **Candace Carlson** for a variance from zoning regulations to reduce the required front yard setback from 60ft. required to 45ft. and the north side setback from 15ft. required to 14ft. to allow for a garage addition to an existing single family house. Property is located at **3573 Haddon Hall Road, N.W.**, fronts 200 feet on the east side of Haddon Hall Road, and begins 280 feet north of the intersection of Haddon Road, Kings Way, and Dumbarton Road. Zoned R-2 (Single Family Residential) District. Land Lot 158 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: John & Peggy Shepard**  
**Council District 8, NPU-A**

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- V-06-218** Application of **Tyrone L. Cooley** for a variance from zoning regulations to allow for a parking pad/turnaround in the required front yard. Property is located at **3150 Ivan Hill Drive**, fronts 100 feet on the south side of Ivan Hill Drive, and begins 200 feet east of the southeast corner of Ivan Hill Drive and Lynhurst Drive. Zoned R-3 (Single Family Residential) District. Land Lot 236 of the 14<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Tyrone L. Cooley**  
**Council District 10, NPU-I**
- V-06-219** Application of **Richard Swartz** for a variance from zoning regulations to allow for a business identification sign to be erected on the building at 42.6ft. high, where only a 30ft. high sign is permitted. Property is located at **425 Chapel Street, S.W.**, fronts 250 feet on the north side of Chapel Street and is located at the intersection of Chapel Street and Haynes Street. Zoned C-3 (Commercial Residential) District. Land Lot 84 of the 14<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Scott Leventhal**  
**Council District 2, NPU-M**
- V-06-220** Application of **Karl deSantos** for a variance from zoning regulations to 1) reduce the west side yard setback from 7ft. required to 3ft. and 2) reduce the rear yard setback from 15ft. required to 4ft. to allow for the construction of an accessory structure. Property is located at **1097 Amsterdam Avenue, N.E.**, fronts 53 feet on the south side of Amsterdam Avenue, and begins at the southwest corner of Amsterdam Avenue and Rosewood Drive. Zoned R-4 (Single Family Residential) District. Land Lot 1 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Alexander Iskov and Jennifer Goeoken**  
**Council District 6, NPU-F**
- V-06-221** Application of **Dana Armour** for a variance from zoning regulations to 1) reduce the rear transitional yard setback from 20ft. required to 5ft., 2) to allow an ornamental wall with a water feature/fountain in the east side transitional yard, and 3) to allow a 6ft. privacy wall 20ft. in length in the west side transitional yard. Property is located at **425 Gartrell Street, S.E.**, fronts 199.4 feet on the south side of Gartrell Street and is located 99.85 feet east of the intersection of Gartrell Street and Jackson Street. Zoned MR-3 (Multifamily Residential – Sector 3) District. Land Lot 45 of the 14<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Dana Armour**  
**Council District 5, NPU-M**
- V-06-222** Application of **David J. Roberts** for a variance from zoning regulations to increase the paved area of a driveway from one-third (33%) of the total area of the required yard to 55% of the total area of the required yard to allow for a circular driveway addition to an existing single family house. Property is located at **40 28<sup>th</sup> Street, N.W.**, fronts 72 feet on the south side of 28<sup>th</sup> Street and begins 710 feet east of the intersection of 28<sup>th</sup> Street and Peachtree Road. Zoned R-4 (Single Family Residential) District. Land Lot 110 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Alfred Kennedy**  
**Council District 8, NPU-E**

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- V-06-223** Application of **Brad Garner** for a variance from zoning regulations to reduce the transitional rear yard setback from 20ft. required to 8ft. Applicant also seeks a special exception from zoning regulations to reduce the on-site parking requirement from 42 spaces required to 29, all to allow for the construction of a new mixed use building. Property is located at **1654 & 1660 Dekalb Avenue**, (pending lot consolidation approval), fronts 166.23 feet on the north side of Dekalb Avenue and is located at the intersection of Dekalb Avenue and Clifton Road. Zoned C-2 (Commercial Service) District. Land Lot 210 of the 15<sup>th</sup> District, Dekalb County, Georgia.  
**Owner: Clifton Dekalb, LLC**  
**Council District 6, NPU-N**
- V-06-224** Application of **Michael Lynam** for a variance from zoning regulations to 1) reduce the front yard setback from the 50ft. required to 18ft., 2) reduce the south side yard setback from the 10ft. required to 1.5ft, 3) reduce the ½ depth front yard setback from the 25ft. required to 16.5ft., 4) the rear yard setback from the 20ft. required to 2.6ft, and 5) exceed 40% lot coverage to allow for the construction of a 1<sup>st</sup> and 2<sup>nd</sup> story addition to a detached garage. Applicant also seeks a variance to allow for the detached garage to exceed 30% of the principal structure in floor area, project in front of the principal structure, and exceed 25% of the required rear yard. Property is located at **2998 Clarendale Road, N.E.**, fronts 62 feet on the south side of Clarendale Road and is located 198.7 feet west of the southwest intersection of Clarendale Drive and Margaret Mitchell Drive. Zoned R-3 (Single Family Residential) District. Land Lot 197 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Michael Lynam**  
**Council District 8, NPU-A**
- V-06-226** Application of **Brian Bird** for a variance from the zoning regulations to reduce the north side yard setback from the required 10ft. to 6ft.5 inches and the south side yard setback from the required 10ft. to 5ft.10 inches to allow for 1<sup>st</sup> and 2<sup>nd</sup> story additions. Property is located at **995 Northcliffe Drive, N.W.**, fronts 70 feet on the north side of Northcliffe Drive, and begins 1237 feet west of the northwest corner of Northcliffe Drive and Howell Mill Road. Zoned R-3A (Single-family Residential) District. Land Lot 185 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owners: Billyjack Bell**  
**Council District 8, NPU-C**
- V-06-227** Application of **Steve Dukes** for a variance from the zoning regulations to reduce both side yard setbacks from 7ft required to 3ft. to allow for the construction of a new single family house. Property is located at **166 Walnut Street, S.W.**, fronts 37.3 feet on the east side of Walnut Street, and begins 288 feet north of the northeast corner of Walnut Street and Fair Street. Zoned RG-3 (Residential General – Sector 3) District. Land Lot 84 of the 14<sup>th</sup> District, Fulton County, Georgia.  
**Owners: Steve Dukes and Michael Brown**  
**Council District 3, NPU-T**

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**DEFERRED CASES**

- V-06-153** Application of **Michelle Akin** for variances from the zoning regulations to 1) reduce the rear yard setback from the required 15 feet to 7 feet, and 2) exceed the maximum allowed total floor area of 30% of that of the principal structure, for renovation of a detached garage. Property is located at **1854 Monroe Drive, N.E.**, fronts 70 feet on the southwest side of Monroe Drive, and begins 71.2 feet south of the corner of Monroe Drive and Rock Spring Road. Zoned R-4 (Single-Family Residential) District. Land Lot 57 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Mark Long**  
**Council District 6, NPU-F**
- V-06-166** Application of **Mark Deno** for variances from the zoning regulations to 1) reduce the east side yard setback from the required 5 feet to 3 feet, 2) reduce the west side yard setback from the required 5 feet to 3 feet, and 3) allow a driveway to exceed 33% of a required yard, all to allow construction of a single-family house. Property is located at **68 Ormond Street, S.E.**, fronts 25 feet on the north side of Ormond Street, and begins 157 feet east of the northeast corner of Ormond Street and Fraser Street. Zoned R-4B (Single-Family Residential) District. Land Lot 54 of the 14<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Mark Deno**  
**Council District 4, NPU-V**
- V-06-168** Application of **Mark Deno** for variances from the zoning regulations to 1) reduce the north side yard setback from the required 5 feet to 4 feet, 2) reduce the south side yard setback from the required 5 feet to 4 feet, and 3) allow a driveway to exceed 33% of a required yard, all to allow construction of a single-family house. Property is located at **975 Welch Street, S.W.**, fronts 25 feet on the west side of Welch Street, and begins 25 feet north of the northwest corner of Welch Street and Arthur Street. Zoned R-4B (Single-Family Residential) District. Land Lot 87 of the 14<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Mark Deno**  
**Council District 4, NPU-V**
- V-06-169** Application of **Mark Deno** for a variance from the zoning regulations to reduce the half-depth front yard setback from the required 17.5 feet to 14 feet, for construction of a single-family house. Property is located at **1411 Belmont Street, S.W.**, fronts 95 feet on the west side of Belmont Avenue, and begins at the northwest corner of Belmont Avenue and Genessee Avenue. Zoned R-4 (Single-Family Residential) District. Land Lot 105 of the 14<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Mark Deno**  
**Council District 12, NPU-X**

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- V-06-109**      Application of **Chris & Rebecca Gray** for a variance from the zoning regulations to increase the square footage of an accessory structure from the allowed maximum of 30% of that of the primary structure (i.e., the house) to 53%. Property is located at **85 Gammon Street, S.E.**, fronts 50 feet on the south side of Gammon Street, and begins 112 feet west of the southwest corner of Gammon Street and Jonesboro Road. Zoned R-4 (Single-Family Residential) District. Land Lot 56 of the 14<sup>th</sup> District, Fulton County, Georgia.  
**Owners: Chris & Rebecca Gray**  
**Council District 1, NPU-Y**